

# United States District Court

EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

UNITED STATES OF AMERICA

V.

CALVIN AVERY

§  
§  
§  
§  
§

CASE NO. 5:13CR27(1)

## **ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The above-styled matter was referred to the Honorable Caroline M. Craven, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Craven conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued her Report and Recommendation (document [#89](#)) on April 1, 2014. Judge Craven recommended that the Court accept Defendant's guilty plea and conditionally approve the plea agreement. She further recommended that the Court finally adjudge Defendant as guilty of Count 2 of the Indictment filed against Defendant in this cause.

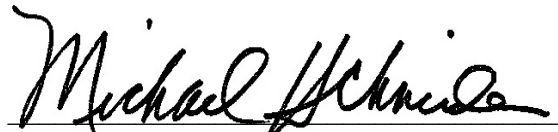
The parties have waived objections to the magistrate judge's findings. The Court is of the opinion that the Report and Recommendation should be accepted. It is accordingly **ORDERED** that the Report and Recommendation of the United States Magistrate Judge (document [#89](#)) is **ADOPTED**. It is further

**ORDERED** that the Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence report. It is finally

**ORDERED** that, pursuant to the Defendant's plea agreement, the Court finds the Defendant **GUILTY** of Count 2 of the **Indictment** in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against the Defendant as to Count 2 of the **Indictment**.

**It is SO ORDERED.**

**SIGNED this 3rd day of April, 2014.**

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE